

## § 29.2564

### § 29.2564 Type 23.

That type of Fire-cured tobacco, known as Western District Fire-cured or Dark-fired, produced principally in a section west of the Tennessee River in Kentucky and extending into Tennessee.

[37 FR 13626, July 12, 1972. Redesignated at 49 FR 16757, Apr. 20, 1984 and 51 FR 40406, Nov. 7, 1986]

### § 29.2565 Type 96.

That type of fire-cured tobacco known as Foreign-grown Fire-cured produced in countries other than the United States.

[49 FR 16757, Apr. 20, 1984. Redesignated at 51 FR 40406, Nov. 7, 1986]

### § 29.2566 Undried.

The condition of unfermented tobacco which has not been air-dried or steam-dried.

[37 FR 13626, July 12, 1972. Redesignated at 49 FR 16757, Apr. 20, 1984 and 51 FR 40406, Nov. 7, 1986]

### § 29.2567 Uniformity.

An element of quality which describes the consistency of a lot of tobacco as it is prepared for market. Uniformity is expressed as a percentage in grade specifications. (See Rule 14, § 29.2630.)

[37 FR 13626, July 12, 1972. Redesignated at 49 FR 16757, Apr. 20, 1984 and 51 FR 40406, Nov. 7, 1986]

### § 29.2568 Unsound (U).

Damaged under 20 percent. (See Rule 20, § 29.2636.)

[37 FR 13626, July 12, 1972. Redesignated at 49 FR 16757, Apr. 20, 1984 and 51 FR 40406, Nov. 7, 1986]

### § 29.2569 Unstemmed.

A form of tobacco, including whole leaf and leaf scrap, from which the stems or midribs have not been removed.

[37 FR 13626, July 12, 1972. Redesignated at 49 FR 16757, Apr. 20, 1984 and 51 FR 40406, Nov. 7, 1986]

### § 29.2570 Wet (W).

Any sound tobacco containing excessive moisture to the extent that it is in

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unsafe or doubtful-keeping order. Wet applies to any tobacco which is not damaged but which is likely to damage if treated in the customary manner. (See Rule 21, § 29.2637.) (For extremely wet or watered tobacco, see rule 22, § 29.2638.)

[37 FR 13626, July 12, 1972. Redesignated at 49 FR 16757, Apr. 20, 1984 and 51 FR 40406, Nov. 7, 1986]

### § 29.2571 Width.

The relative breadth of a tobacco leaf expressed in relation to its length. Width, as an element of quality, does not apply to tobacco in strip form. (See chart, § 29.2601.)

[37 FR 13626, July 12, 1972. Redesignated and amended at 49 FR 16757, Apr. 20, 1984 and further redesignated at 51 FR 40406, Nov. 7, 1986]

## ELEMENTS OF QUALITY

### § 29.2601 Elements of quality and degrees of each element.

Tobacco attributes or characteristics which constitute quality are designated as elements of quality. The range within each element is expressed by words or terms designated as degrees. These degrees are arranged to show their relative value and are used in determining the quality of tobacco. The actual value of each degree varies with group.

Elements		Degrees	
Body .....	Thin .....	Medium .....	Heavy.
Maturity .....	Immature .....	Mature .....	Ripe.
Leaf structure .....	Close .....	Firm .....	Open.
Oil .....	Lean .....	Oily .....	Rich.
Elasticity .....	Inelastic .....	Semielastic ..	Elastic.
Strength .....	Weak .....	Normal .....	Strong.
Finish .....	Dull .....	Clear .....	Bright.
Color intensity.	Pale .....	Moderate .....	Deep.
Width .....	Narrow .....	Normal .....	Spready.
Uniformity.....Expressed in percentages.			
Injury tolerance...Expressed in percentages.			

## SIZES

### § 29.2606 Standard sizes.<sup>1</sup>

Inches	Size
12-20 .....	1
20-28 .....	2
Over 28 .....	3

<sup>1</sup> The application of sizes is governed by the major portion of the lot or package.

[51 FR 40406, Nov. 7, 1986]

**Agricultural Marketing Service, USDA**

**§ 29.2629**

**RULES**

**§ 29.2616 Rules.**

The application of these official standard grades shall be in accordance with §§ 29.2617 through 29.2639.

[37 FR 13626, July 12, 1972, as amended at 49 FR 16757, Apr. 20, 1984]

**§ 29.2617 Rule 1.**

Each grade shall be treated as a subdivision of a particular type. When the grade is stated in an inspection certificate, the type also shall be stated.

**§ 29.2618 Rule 2.**

The determination of a grade shall be based upon a thorough examination of a lot of tobacco or of an official sample of the lot.

**§ 29.2619 Rule 3.**

In drawing an official sample from a hoghead or other package of tobacco, two or more breaks shall be made at such points and in such manner as the inspector or sampler may find necessary to determine the kinds of tobacco and the percentage of each kind contained in the lot. All breaks shall be made so that the tobacco contained in the center of the package is visible to the sampler. Tobacco shall be drawn from at least two breaks from which a representative sample shall be selected.

**§ 29.2620 Rule 4.**

All standard grades must be clean.

**§ 29.2621 Rule 5.**

The grade assigned to any lot of tobacco shall be a true representation of the tobacco at the time of inspection and certification. If, at any time, it is found that a lot of tobacco does not comply with the specifications of the grade previously assigned it shall not thereafter be represented as such grade.

**§ 29.2622 Rule 6.**

A lot of tobacco on the marginal line between two colors shall be placed in the color with which it best corresponds with respect to body or other associated elements of quality.

**§ 29.2623 Rule 7.**

Any lot of tobacco which meets the specifications of two grades shall be placed in the higher grade. Any lot of tobacco on the marginal line between two grades shall be placed in the lower grade.

**§ 29.2624 Rule 8.**

A lot of tobacco meets the specifications of a grade when it is not lower in any degree of any element of quality than the minimum specifications of such grade.

**§ 29.2625 Rule 9.**

In determining the grade of a lot of tobacco, the lot as a whole shall be considered. Minor irregularities which do not affect over one percent of the tobacco shall be overlooked.

**§ 29.2626 Rule 10.**

Any special factor approved by the Director of the Tobacco Division, Agricultural Marketing Service, may be used to show a peculiar side or characteristic of the tobacco which tends to modify the grade.

[37 FR 13626, July 12, 1972, as amended at 49 FR 16757, Apr. 20, 1984]

**§ 29.2627 Rule 11.**

Interpretations, the use of specifications, and the meaning of terms shall be in accordance with determinations or clarifications made by the Chief of the Standards and Testing Branch and approved by the Director.

**§ 29.2628 Rule 12.**

The use of any grade may be restricted by the Director during any marketing season, when it is found that the grade is not needed or appears in insufficient volume to justify its use.

**§ 29.2629 Rule 13.**

Length shall be stated in connection with each grade of the A, B, and C groups, except strip grades, and may be stated in connection with the grades of other groups. The standard tobacco sizes shall be used.

[37 FR 13626, July 12, 1972, as amended at 49 FR 16757, Apr. 20, 1984; 51 FR 40406, Nov. 7, 1986]